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Attorney for SOARES,  
Debtor

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re:

NICHOLAS ANTHONY SOARES,

Debtor.

Case No. 10-61331-B-12

Chapter 12

D.C. No. N/A

Date: November 10, 2010

Time: 3:00 PM

Place: Dept. B, Ctrm. 12, 5<sup>th</sup> Floor

United States Courthouse

2500 Tulare St., Fresno, California

Judge: Hon. W. Richard Lee

**STATUS CONFERENCE REPORT**

Debtors hereby submit the following status conference report:

1. This case was commenced on September 30, 2010, by the filing of a voluntary petition under Chapter 12 of the Bankruptcy Code.

2. Debtor is eligible to be a Debtor under Chapter 12 as demonstrated by the declaration filed with the petition, a copy of which is attached hereto.

3. The order authorizing employment of bankruptcy counsel was entered October 27, 2010.

1           4.       Debtor has filed a Chapter 12 Plan. The confirmation hearing is set for  
2   December 16, 2010.

3  
4   Date: 11/09/2010

LAW OFFICES OF PETER L. FEAR

5                               By: /s/ Peter L. Fear  
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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re:

NICHOLAS SOARES,

Debtor(s).

Case No. 10-\_\_\_\_\_-\_\_-12

Chapter 12

D.C. No. N/A

**DECLARATION OF NICHOLAS SOARES  
RE: ELIGIBILITY TO FILE CHAPTER 12**

I, NICHOLAS SOARES, declare as follows:

1. I am a debtor in the above-captioned bankruptcy case.
2. I farm grapes for raisins on my real property. I am also employed as a farm consultant and receive wages for that employment.

3. I had two farming businesses which I was involved in in 2009: (1) farming 17 acres of grapes for raisins on the property on which I live; and (2) farming 8 acres of peaches on leased land, which I farmed in partnership with my brother.

4. Following is a breakdown of my income for 2009 and the amounts which are considered farm and non-farm income;

Gross income	Farm Income	Non-Farm Income
Wages as farm consultant		\$58,844
Farming 20 acres of grapes	\$41,380	
½ Gross income from peaches	\$31,650	
Totals	\$73,030.00	\$58,844.00

5. Attached hereto as Exhibit A is a list of all of my debt, broken down into whether the debt was incurred for farm-related purposes or not. As noted, the vast majority of my debt is farm related.

6. Based on the foregoing, the vast majority of my noncontingent, liquidated debts are farm-related.

I declare under penalty of perjury that the foregoing statements are true and correct and that if called as a witness herein I could and would competently testify thereto, and that this declaration was executed on 9/28/10, at Fresno, California.

  
NICHOLAS SOARES

Exhibit A  
Nicholas Soares  
Calculations re: Farm Debt

Creditor	Farm Debt	Consumer Debt	Total
Chase Home Finance	\$ 182,351.00		\$ 182,351.00
CNH Capital	\$ 24,619.00		\$ 24,619.00
GE Money Bank		\$ 11,637.00	\$ 11,637.00
Rabobank	\$ 173,264.02	\$ -	\$ 173,264.02
Americredit		\$ 4,065.00	\$ 4,065.00
Capital One Bank	\$ 8,475.75	\$ 25,427.25	\$ 33,903.00
Citi Cards		\$ 9,960.08	\$ 9,960.08
Citibank	\$ 19,904.76		\$ 19,904.76
Discover	\$ 14,106.19		\$ 14,106.19
Home Depot	\$ 14,170.97		\$ 14,170.97
HSBC		\$ 4,245.00	\$ 4,245.00
Verizon Wirless		\$ 244.78	\$ 244.78
Leopold Farm Service	23,000		\$ 23,000.00
Citibank	\$ 3,041.63		\$ 3,041.63
Lowes/GEM	\$ 4,885.00		\$ 4,885.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Total	\$ 467,818.32	\$ 55,579.11	\$ 523,397.43
Total Percentage	89%	11%	